

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:22-cr-00097

RANDY PRICE

NOTICE OF APPEAL

The United States of America, by Jennifer Rada Herrald, Assistant United States Attorney for the Southern District of West Virginia, hereby files this Notice of Appeal from the Court's order granting defendant's motion to dismiss Count Two of the indictment, which charged a violation of 18 U.S.C. § 922(k), having found that statute to be unconstitutional following *New York State Rifle & Pistol Ass'n v. Bruen*, 142 S. Ct. 2111 (2022). This order was entered by this Court on October 12, 2022, as ECF No. 48. The appeal is taken to the United States Court of Appeals for the Fourth Circuit.

Respectfully submitted,

WILLIAM S. THOMPSON
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By:

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CERTIFICATE OF SERVICE

It is hereby certified that the foregoing “NOTICE OF APPEAL” has been electronically filed and service has been made by virtue of such electronic filing this 24th day of October, 2022 upon:

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